

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Virginia Coalition for Immigrant Rights, et al.,)
Plaintiffs,)
v.)
Susan Beals, in her official capacity as)
Virginia Commissioner of Elections, et al.,)
Defendants.

Civil Action No. 1:24-cv-01778

The United States of America,)
Plaintiff,)
v.)
The Commonwealth of Virginia, et al.,)
Defendants.)
Defendants.

Civil Action No. 1:24-cv-01807

**DEFENDANTS' MOTION TO DISMISS THE ORGANIZATIONAL
PLAINTIFFS' FIRST AMENDED COMPLAINT AND THE
UNITED STATES OF AMERICA'S COMPLAINT**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendants the Commonwealth of Virginia, the Virginia State Board of Elections, Susan Beals, John O'Bannon, Rosalyn R. Dance, Georgia Alvis-Long, Donald W. Merricks, Matthew Weinstein, and Jason Miyares, by counsel, respectfully move this Court to dismiss the Organizational Plaintiffs' First Amended Complaint and the United States of America's Complaint for lack of jurisdiction and for failure to state a claim upon which relief can be granted. In support, Defendants rely on the Memorandum in Support filed herewith and the authorities and evidence cited therein.

Dated: November 21, 2024

Respectfully submitted,

COMMONWEALTH OF VIRGINIA;
VIRGINIA STATE BOARD OF ELECTIONS;
SUSAN BEALS, in her official capacity as Virginia
Commissioner of Elections; **JOHN O'BANNON**,
in his official capacity as Chairman of the State
Board of Elections; **ROSALYN R. DANCE**, in her
official capacity as Vice-Chairman of the State
Board of Elections; **GEORGIA ALVIS-LONG**, in
her official capacity as Secretary of the State Board
of Elections; **DONALD W. MERRICKS** and
MATTHEW WEINSTEIN, in their official
capacities as members of the State Board of
Elections; and **JASON MIYARES**, in his official
capacity as Virginia Attorney General

By: /s/ Erika Maley

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on November 21, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties of record.

/s/ Erika Maley
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